

REMARKS/ARGUMENTS

Favorable consideration of this application is respectfully requested. Applicant has amended the specification and claim 5. Favorable reconsideration of this application is, consequently, earnestly solicited in view of the following remarks. Applicant gratefully appreciates examiner's indication that claims 11-22 are allowable.

Claim 5 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claims the subject matter which applicant regards as the invention. Claim 5 has been amended to claim a birefringence larger than 0.08.

Claims 1-4 were rejected under 35 U.S.C. 102(a) as being anticipated by Huang et al. U.S. Patent Application Publication No. 2003/0210366. The Huang patent application was filed on May 5, 2003 which claims priority to U.S. Provisional Application No. 60/378,304. The present utility patent application was filed on July 23, 2003 claiming the benefit of priority to U. S. Provisional Application No. 60/399218 filed on July 29, 2002. The subject matter of the present application is the same subject matter disclosed in the earlier filed provisional patent application. Therefore, the effective file date of the present patent application is July 29, 2002.

The subject application was filed as a utility patent application on 7/23/2003 while the cited reference to Huang was pending as a patent application, and the subject application and the cited reference have overlapping inventors and a common assignee. The subject specification has been amended to convert the present application to a Continuation-in-Part of co-pending patent application 10/430,019 filed on May 5,

2003(which is the application on which the Huang reference publication is based) and further claiming the benefit of Provisional application 60/378,304 filed on May 6, 2002. Thus, removal of the Huang et al. reference is respectfully requested.

Claims 5-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Huang et al. in view of Sekiguchi U.S. Patent Application Publication No. 2002/0145688. For the reasons stated above in regard to claims 1-4, the rejection of claims 5-10 is moot. Therefore, applicant respectfully requests removal of the 103(a) rejection.

In view of the foregoing considerations, it is respectfully urged that claims 1-22 be allowed. Such action is respectfully requested. If the Examiner believes that an interview would be helpful, the Examiner is requested to contact the attorney at the below listed number.

Respectfully Submitted;



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